

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
WHEELING DIVISION**

MARK MCEVOY, *et al.*,  
Plaintiffs,

v.

DIVERSIFIED ENERGY COMPANY PLC,  
*et al.*,  
Defendants.

Civil Action No. 5:22-cv-00171-JPB  
Judge John P. Bailey  
Magistrate Judge James P. Mazzone

---

**SECOND AMENDED NOTICE OF ISSUANCE OF SUBPOENA TO  
PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT  
INSPECTION OF PREMISES  
IN A CIVIL ACTION TO DANIEL SHERWOOD**

---

**PLEASE TAKE NOTICE**, pursuant to *Fed.R.Civ.P. 45*, the defendants, Diversified Energy Company, PLC, Diversified Gas & Oil, PLC, Diversified Production LLC, Diversified Gas & Oil Corporation, Diversified Oil and Gas LLC and Alliance Petroleum Corporation, intend to serve a Subpoena, in the form attached hereto, to Daniel Sherwood on April 29, 2023, or as soon thereafter as service may be effectuated.

Dated: April 28, 2023

Respectfully submitted:

/s/ Howard M. Persinger, III

Howard M. Persinger, III  
**PERSINGER & PERSINGER, L.C.**  
237 Capitol Street  
Charleston, WV 25301  
Phone: (304) 346-9333  
Fax: (304) 346-9337  
Email: hmp3@persingerlaw.com

Dated: April 28, 2023

Daniel Donovan, P.C. (admitted *pro hac vice*)  
Ragan Naresh, P.C. (admitted *pro hac vice*)  
**KIRKLAND & ELLIS LLP**  
1301 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Phone: (202) 389-5267  
Fax: (202) 389-5200  
Email: daniel.donovan@kirkland.com  
ragan.naresh@kirkland.com

Kenneth Young (admitted *pro hac vice*)  
Dustin Womack (admitted *pro hac vice*)

**KIRKLAND & ELLIS LLP**

609 Main Street  
Houston, TX 77002

Phone: (713) 836-3600

Fax: (713) 836-3601

Email: kenneth.young@kirkland.com  
dustin.womack@kirkland.com

*Counsel for Defendants Diversified Energy Company PLC, Diversified Gas & Oil, PLC,  
Diversified Production LLC, Diversified Gas & Oil Corporation, Diversified Oil and Gas LLC,  
and Alliance Petroleum Corporation*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on April 28, 2023, a copy of the foregoing was served on all counsel of record via the Court's electronic filing system.

/s/ Howard M. Persinger, III  
Howard M. Persinger, III